
DIGEST

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Brossett

HB No. 709

Abstract: Provides relative to the New Orleans Center for Creative Arts (NOCCA).

Present law provides for the New Orleans Center for Creative Arts/Riverfront (NOCCA).

Proposed law deletes "Riverfront" from the center's name throughout present law.

Present law provides that NOCCA is primarily for students in grades 10-12 and is located on land leased to the state by the Orleans Parish School Board (OPSB) for such a purpose. Proposed law provides instead for all high school students and deletes the provision relative to NOCCA's location.

Present law provides for NOCCA's establishment pursuant to a joint agreement between the state and the OPSB. Proposed law removes present law.

Present law provides that NOCCA shall be operated primarily as a regional facility for the enrollment of qualified students from specified parishes. Proposed law removes reference to a regional facility and instead provides for the enrollment of qualified students from throughout the state.

Present law provides that the center shall be an agency of state government in the state Dept. of Education and shall be, except as otherwise provided, independent of the control of the state superintendent and local and state education boards, except its board of directors. Proposed law deletes language relative to placement in the state Dept. of Education.

Present law provides that the center's board of directors is composed of 13 members. Proposed law retains 13 members but makes changes in the membership of the board and provides for staggered terms as follows:

- (1) Present law provides for two members appointed by the Orleans Parish School Board (OPSB). Proposed law provides that these members' terms shall expire on June 30, 2012, and effective July 1, 2012, and thereafter, one member shall be appointed by the OPSB (who may be replaced by OPSB resolution), and one member shall be appointed by BESE.
- (2) Present law provides for three members appointed by the governor, at least one of whom is a racial minority. Proposed law provides for the following:

- (a) Two members appointed by the governor (neither serving as vice president of the board upon the effective date of proposed law) whose terms shall expire on June 30, 2010.
 - (b) Effective July 1, 2010, and thereafter, two members appointed by the governor, at least one of whom is a racial minority.
 - (c) The governor's appointee serving as vice president of the board upon the effective date of proposed law whose term shall expire on June 30, 2012. Effective July 1, 2012, and thereafter, one person appointed by the governor who shall be from outside the greater New Orleans region.
- (3) Present law provides for six additional members appointed by the governor from among nominees submitted by various entities. Proposed law makes changes in these gubernatorial appointments as follows:
 - (a) Present law provides for one member appointed from nominations by the mayor, identified by the mayor as a professional creative artist. Proposed law provides that this member's term shall expire on June 30, 2010, and that effective July 1, 2010, and thereafter, one member shall be appointed by the governor from nominations by the mayor.
 - (b) Present law provides for one member appointed from nominations by Dillard Univ., Xavier Univ, or SUNO (jointly or for one term each as they decide). Proposed law provides that this member's term shall expire on June 30, 2012, and that effective July 1, 2012, and thereafter, the governor shall appoint a member in this same manner.
 - (c) Present law provides for two members appointed from nominations by the NOCCA Institute. Proposed law provides that these members' terms shall expire on June 30, 2012, and that effective July 1, 2012, and thereafter, the governor shall appoint two members in this same manner.
- (4) Present law provides for two members appointed from nominations by the parents assoc., the faculty, or the alumni assoc. Proposed law provides that these members' terms shall expire on June 30, 2010, and that effective July 1, 2010, and thereafter, the governor shall appoint two members as follows:
 - (a) One member from among nominations from the faculty who is employed as at least a half-time faculty member.
 - (b) One member who is an alumnus or alumna of the center from among nominations submitted by the center's president/CEO.
- (5) Present law provides that the La. House and Senate members in whose districts the

center's main campus is located, or their designees, shall serve on the board. Proposed law retains present law.

Proposed law requires that nominations be ranked and otherwise retains present law provisions relative to board vacancies, four-year terms, reappointments, and members serving without compensation and provides that successors shall be appointed in the same manner as predecessors unless otherwise provided.

Proposed law provides for the following revisions to the board's present law duties:

- (1) Present law requires the board to establish uniform criteria to determine applicant eligibility for enrollment. Proposed law instead requires the board to monitor such criteria.
- (2) Present law requires the board to transfer or employ faculty, staff, and center administrators. Proposed law instead requires the board to hire and evaluate the center's president/CEO to manage the center.
- (3) Present law requires the board to prescribe qualifications and provide for the regular and ancillary certification of academic teachers and artist/teachers. Proposed law refers simply to certification of teachers. Present law provides that such qualifications for academic faculty members shall initially be subject to BESE approval, along with any changes in such qualifications. Proposed law removes present law.
- (4) Present law requires the board to adopt rules and regulations for establishing a grievance procedure to guarantee a fair hearing and resolution of complaints on grievances by any nonclassified employee by the board. Proposed law instead vests responsibility for such hearing and resolution with the president/CEO and, if necessary, the board.

Present law authorizes the board to award certificates for successful completion of programs of study in addition to a regular high school diploma issued by BESE to any student who successfully completes the program of study adopted by BESE. Proposed law authorizes the center to grant a state-issued high school diploma to any student who successfully meets BESE's minimum high school graduation requirements.

Present law provides that any center employee who was employed by OPSB at the center prior to July 1, 2000, shall be permitted to transfer to the employment of the center board and be compensated using a salary scale similar to the one used at the La. School for Math, Science and the Arts. Proposed law deletes the compensation provision.

Present law provides that the board shall determine policies and provisions relative to leave for center administrators. Proposed law includes the school calendar in such board determinations.

Effective upon signature of governor or lapse of time for gubernatorial action.

(Amends R.S. 11:701(33)(c), the heading of Part II-B of Chapter 8 of Title 17 of the L.R.S. of 1950, R.S. 17:1970.21, 1970.22(1) and (2), 1970.23(A), 1970.24(A), (B)(1)(a) through (c) and (2)(a), (C), (E)(1)(b), (d), (i), (m), and (n) and (2)(f), 1970.25(A), and 1970.26(A)(2)(b), (B)(2), and (C)(1)(intro. para.) and (2), R.S. 36:651(D)(8), and R.S. 42:1111(A)(3))

Summary of Amendments Adopted by House

Committee Amendments Proposed by House Committee on Education to the original bill.

1. Deleted language providing for the center's placement in the Dept. of Education.
2. Made the following changes relative to board membership:
 - (a) Deleted provisions that the appointment of the Orleans Parish School shall be subject to the governor's approval and that such appointee's term shall be concurrent with his school board term.
 - (b) Changed appointing authority for one member from the state supt. of education to BESE.
 - (c) Instead of providing that a certain member shall have no successor, provided that his successors shall be from outside the greater New Orleans region.
 - (d) Deleted requirement that the person appointed by the governor from among nominees submitted by the mayor of New Orleans be identified as a professional creative artist.
 - (e) Deleted requirement that one of the two members appointed by the governor from among nominees submitted by the NOCCA Institute be a racial minority.
 - (f) Provided that one member shall be appointed by the governor from among nominees submitted by the president/CEO of NOCCA rather than submitted by the alumni association and further requires that such member be a NOCCA alumnus or alumna.